

ORDINANCE NO. 2010.14

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING THE GRANTING OF A PERPETUAL IRRIGATION EASEMENT ON CITY-OWNED PROPERTY GENERALLY LOCATED BETWEEN ASH AVENUE AND MILL AVENUE, NORTH OF 3RD STREET.

WHEREAS, in connection with construction of the Light Rail Project facilities existing easement in favor of Salt River Project had to be relocated; and

WHEREAS, for SRP to access its water distribution system, the City of Tempe has agreed to grant SRP an irrigation easement for the construction and maintenance of facilities replacing the Hayden, McKinley-Kirkland Canal; and

WHEREAS, the easement will be for the perpetual use of the United States of America (Department of the Interior Bureau of Reclamation) as part of the SRP water distribution system and will be located on a portion of City-owned property, as described in Exhibit "A" attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1. That the City of Tempe does hereby authorize the granting of a perpetual easement to United States of America on the property described on, and in the form attached hereto as Exhibit "A".

Section 2. The Mayor or his designee is authorized to execute any documents that may be necessary to carry out the provisions of this Ordinance, including without limitation the attached easement.

Section 3. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

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PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA

This 10th day of June, 2010.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney